

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LOUIS RODRIGUEZ,

Petitioner,

20 CIVIL 3141 (MKV)

-against-

MICHAEL CAPRA, SUPERINTENDENT,  
Respondent.

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**JUDGMENT**

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated September 29, 2023, Petitioner's habeas petition is DENIED in its entirety. Because Petitioner has not demonstrated a basis for the federal *habeas* relief he seeks under 28 U.S.C. § 2254, the Court does not grant a certificate of appealability. See 28 U.S.C. § 2253(c)(2) (a "certificate of appealability may issue [in a *habeas corpus* proceeding] only if the applicant has made a substantial showing of the denial of a constitutional right."); see also Canteen v. Smith, 555 F. Supp. 2d 407, 418 (S.D.N.Y. 2008) (denying Section 2254 *habeas* petition and declining to issue a certificate of appealability); accordingly, the case is closed.

**DATED:** New York, New York  
September 29, 2023

RUBY J. KRAJICK

BY:

Clerk of Court  
Negron-Dulal  
Deputy Clerk